



State of Ohio Environmental Protection Agency

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George V. Voinovich
Governor

October 3, 1997

RE: DOE FEMP
MSL 531-0297
HAMILTON COUNTY
DISAPPROVAL - WASTE ACCEPTANCE
CRITERIA ATTAINMENT PLAN

Mr. Johnny Reising
U.S. Department of Energy, Fernald Area Office
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Reising:

Ohio EPA has reviewed DOE's August 22, 1997 submittal, "Submittal of the Draft Waste Acceptance Criteria Attainment Plan for the On-Site Disposal Facility." Attached are Ohio EPA comments detailing our concern with the document.

If you have any questions, please contact me.

Sincerely,

Thomas A. Schneider
Fernald Project Manager
Office of Federal Facilities Oversight

cc: Jim Saric, U.S. EPA
Terry Hagen, FDF
Ruth Vandegrift, ODH
Francie Barker, PRC
Manager, TPSS/DERR, CO
Dave Ward, GeoTrans

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Ohio Environmental Protection Agency Comments on the draft Waste Acceptance Criteria
Attainment Plan for the On-Site Disposal Facility
Revision B

1. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: General Comment Pg #: Line #: Code: M
Original Comment #:

Comment: During the meeting held on September 17, 1997 methods of incorporating several real-time gamma spectroscopy methods into this Plan were discussed. One alternative was to add the gamma methods as an appendix to the final document. A major reason for pursuing this strategy was to save time and effort. The Ohio EPA would like to suggest that the entire Plan be re-written to incorporate the use of real-time into the body of the Plan rather than as an appendix. By doing this we want to achieve a greater likelihood that the real time gamma methods will actually be implemented in a more consistent fashion.

The regulators as part of the real-time working group have asked to review the procedures for both the RTRK and HPGe detectors. These procedures could be incorporated into the Appendices of either this Plan or the Site-Wide Excavation Plan as appropriate.

2. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: General Comment Pg #: Line #: Code: M
Original Comment #:

Comment: The WAC Attainment Plan solely on soil concentration data to assess potential WAC exceedance areas. The plan should be revised to state that additional data such as groundwater and surface water results as well as process knowledge and real-time monitoring will be used to expand upon the current RI/FS data base and guide supplemental sampling.

3. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: General Comments Pg #: Line #: Code: M
Original Comment #:

Comment: The Ohio EPA has continually insisted that the WAC Attainment Plan should be a stand-alone document that will govern all aspects of OSDF disposal. It is not acceptable to defer this Plan to other documents. Please remove the sentence that resolves inconsistencies between the WAC Plan and other documents in favor of the supporting document.

4. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: General Comments Pg #: Line #: Code: M
Original Comment #:

Comment: The document should include or reference a document which will define the mechanism for tracking waste volume data and make comparisons to estimated volumes being disposed of on-site and off-site. Ohio EPA believes this data evaluation is important for considering how actual volumes relate to WAC modeling, OSDF design, excavation design, etc.

5. Commenting Organization: OEPA Commentor: OFFO

Ohio EPA Comments
WAC Attainment Plan
Page 2

Section # : 1.1 Pg. #: 1-1 Line # 13-15 Code: C

Comment: Ohio EPA disagrees with DOE's assertion that it was not until March 5, 1997 that need for a WAC Attainment Plan was established. In December of 1996 Ohio EPA included the need for a WAC plan in a list of concerns provided to DOE. The need for a WAC plan was discussed for several months prior to December. Both Ohio EPA and USEPA have expressed the need for a WAC Attainment Plan, as well as our concern with DOE's delay in submitting one, numerous times over the past year.

6. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 1.2 Pg #: 1-2 Line #: 31 Code: c

Original Comment #:

Comment: Please elaborate on the specific WAC requirements for the materials mentioned in this paragraph. For example, since water treatment plant residuals (understood to be sludges, filter cakes, etc.) are soil-like materials, can we assume that the Operable Unit 5 WAC for soils will be the governing WAC? In the case of PPE, these items could also be spread and compacted in lifts in the OSDF. Will the soil WAC be applied here, also? An argument could be made that PPE used in D&D activities should be treated as debris. The criteria that no PPE with visible traces of colored uranium salts would be permitted in the OSDF would logically follow from the debris interpretation. Another unmentioned possibility is the case of lab returns. If these have been treated with acid as a preservative, will the lab returns be neutralized to remove the characteristic of corrosivity prior to disposal? Please anticipate additional concerns along these lines of reasoning and address them when responding to this comment.

7. Commenting Organization: OEPA Commentor: OFFO

Section # : 1.2 Pg. #: 1-2 Line # 35-37 Code: C

Comment: Soils classified as RCRA hazardous waste from the OU2 firing range area were also excluded from disposal in the OSDF. These soils were specifically excluded from on-site disposal by the OU2 Record of Decision. These soils should be referenced here in the WAC Plan and removed from other portions of the document addressing possible treatment and on-site disposal.

8. Organization: OEPA Commentor: OFFO

Section # : 1.3 Pg. #: 1-3 Line # 21-22 Code: C

Comment: Ohio EPA disagrees with the suggestion that support plans should prevail over the WAC Plan. The WAC Plan should be the basis for development of all future support plans and should be the over-riding document for decisions regarding WAC attainment. If changes to the process for WAC attainment are needed in the future the revisions to the WAC Attainment Plan should be submitted to the EPAs for review and approval. Following that approval, revisions support plans could be developed including the process change.

Ohio EPA Comments
WAC Attainment Plan
Page 3

9. Commenting Organization: OEPA Commentor: OFFO
Section #: 1.4 Pg. #: 1-4 Line #: 9-12 Code: C
Comment: The text should be revised to include a statement that all revisions or modifications to the process for WAC attainment outlined in the WAC Attainment Plan will be submitted as revisions to the document for review and approval by Ohio EPA and USEPA.

10. Commenting Organization: OEPA Commentor: OFFO
Section #: 2.5.1 Pg. #: 2-6 Line #: 2-13 Code: M
Comment: Soils classified as RCRA hazardous waste from the OU2 firing range area were also excluded from disposal in the OSDF. These soils were specifically excluded from on-site disposal by the OU2 Record of Decision. These soils should be referenced here in the WAC Plan and removed from other portions of the document addressing possible treatment and on-site disposal.

11. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 2.5.2 Pg. #: 2-8 Line #: 14 Code: c
Original Comment #:
Comment: The phrase "highly elevated direct radiation fields" is imprecise. Please offer any clarifications that can be made now and a reference to future submittals that will establish these parameters more precisely.

12. Commenting Organization: OEPA Commentor: OFFO
Section #: 2.6.2 Pg. #: 2-11 Line #: 12-18 Code: C
Comment: It is Ohio EPA's understanding that debris generated through OU2, OU4 and OU5 remediation were not included in the OU3 WAC modeling for debris. Considering the lack of information concerning debris volume, waste concentrations and its leachability from these debris streams, DOE must provide additional information supporting the inclusion of these other debris streams under the OU3 debris WAC.

13. Commenting Organization: OEPA Commentor: OFFO
Section #: 2.6.4 Pg. #: 2-13; 2-14 Line #: 20-22; 7-14 Code: C
Comment: Though Ohio EPA concurs that the OU5 WAC are conservative, we do not agree with the discussion in this section nor the implied acceptability of disposal of soils exceeding the WAC in the OSDF. The WAC is a limit which is not to be exceeded. Regardless of volume, soil exceeding the WAC is prohibited from disposal in the OSDF. Ohio EPA regards disposal of soils exceeding the WAC in the OSDF as a violation of the Records of Decision, the approved OSDF design, and the waiver of Ohio Solid Waste Siting Criteria. The section must be revised to delete the referenced sections and to state the fact the WAC is a limit which is not to be exceeded.

Ohio EPA Comments
WAC Attainment Plan
Page 4

14. Commenting Organization: OEPA Commentor: OFFO

Section #: 2.6.5 Pg. #: 2-14 Line # 17-20 Code: C

Comment: The text should note that Ohio EPA and local residents commented on the need to restrict the disposal of RCRA characteristic waste in the OSDF. In addition, restriction of such waste was a requirement of Ohio EPA support for waiver of Ohio's Solid Waste Siting Criteria.

15. Commenting Organization: OEPA Commentor: OFFO

Section #: 2.6.5 Pg. #: 2-15 Line # 17-20 Code: C

Comment: Delete this paragraph as off-site disposal of these soils is required by the OU2 ROD.

16. Commenting Organization: OEPA Commentor: OFFO

Section #: 2.6.5 Pg. #: 2-16 Line # 4-15 Code: C

Comment: Delete this paragraph as off-site disposal of these soils is required by the OU2 ROD.

17. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 3.1 Pg. #: 3-2 Line #: 19-21 Code: C

Original Comment #:

Comment: The text states that if a material that arrives at the OSDF for disposal is "too wet" for proper placement and compaction, the material will be mechanically processed before its placement. It is not clear how DOE will determine whether material is "too wet." Use of Method 905A (Paint Filter Liquids Test) or Method 9096 (Liquid Release Test Procedure) in SW846 with a suitable endpoint for acceptance would be appropriate. The text should be revised to identify the criteria that DOE will use to determine whether material is "too wet."

18. Commenting Organization: OEPA Commentor: OFFO

Section #: 3.4 Pg. #: 3-5 Line # lasts paragraph Code: C

Comment: On-site disposal of materials exceeding the physical WAC is not acceptable. Ohio EPA has disapproved the IMP due to the inclusion of these materials. The paragraph and all references to on-site disposal of oversized debris should be removed from the document.

19. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 3.5.1 Pg. #: 3-6 Line #: Code:

Original Comment #:

Comment: The last paragraph in this Section states that all PPE will be handled as debris for purposes of physical WAC. Chemical WACs are not addressed. It is worth noting that all PPE will certainly meet the physical WAC requirement.

20. Commenting Organization: Ohio EPA Commentor: OFFO

Ohio EPA Comments
WAC Attainment Plan
Page 5

Section #: 3.5.1 Pg #: 3-6 Line #: Code: C

Original Comment #:

Comment: As these waste forms were not specifically addressed in any of the ROD WAC determination, information regarding waste volume estimates, contaminant concentrations, leachability, etc. should be provided to support WAC decisions.

21. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 3.5.2 Pg #: 3-6 Line #: Code: C

Original Comment #:

Comment: Ohio EPA disagrees with the proposed process for addressing future ancillary waste streams. Future ancillary waste streams should be addressed through addendum to the WAC Attainment Plan, which will be reviewed and approved by the EPAs.

22. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 4.0 Pg #: 4-0 Line #: Code: C

Original Comment #:

Comment: As discussed in a previous comment, Ohio EPA believes it is necessary to incorporate a discussion of the use of real time radiological measurements into this section of the Plan. The text should discuss objectives, limitations and procedures for use of these instruments. Ohio EPA believes the use of real time monitoring is necessary to achieve an acceptable approach for WAC attainment during soil excavation.

23. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 4.1 Line #: first full paragraph Code: C

Original Comment #:

Comment: The paragraph should note that in addition to approval of the East Stockpile WAC attainment demonstration report other documents require approval prior to placing the east stockpile material into the disposal cell.

24. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: #: 4.1 Pg #: 4-4 Line #: Code: C

Original Comment #:

Comment: The document should include a discussion of how DOE will ensure the contractor meets the excavation requirements for above WAC material as laid out in the IRDP. Included should be discussions of contract language, field oversight and the role of the WAO.

25. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: #: 4.2.1.2 Pg #: 4-11 Line #: 27-33

Code: C

Original Comment #:

Ohio EPA Comments
WAC Attainment Plan
Page 6

Comment: Ohio EPA believes that both tetrachloroethene and vinyl chloride should be retained as WAC COCs. Due to the prevalent nature of VOCs in the production area, the fact the maximum detects are relatively close to the WAC (see Table 4-1) and that probable locations (beneath buildings) with the highest concentrations of these contaminants have not been sampled these constituents must be retained. Finally the contaminants can be added to the sampling regime with little additional cost or effort as they are reported as part of a typical VOC sampling effort.

26. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: #: Table 4-1 Pg #: 4-12 Line #: Code: M
Original Comment #:

Comment: The database used to create this table does not appear to be sufficiently inclusive of data from site activities. In a brief review of available data Ohio EPA noted that the maximum detect for 1,2-dichloroethene was 1.2 mg/kg from a sample collected at location 1411 at 10-10.5' as reported in the Pilot Plant Sump Removal Action WP in Table 4-8. Ohio EPA does not concur with the elimination of any WAC COCs until such time as a comprehensive review of site data is conducted and evaluated.

Additionally, a review of the data provided in the Removal Action WP shows that the detection limit for 4-nitroaniline exceeded the WAC in nearly every sample collected. The table should be revised to reflect the number of non-detects that exceed the WAC for all contaminants.

27. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.1.2 & Figure 4-6 Pg #: 4-13 Line #: 1-21 Code: M
Original Comment #:

Comment: As stated in the previous comment, Ohio EPA has significant concerns regarding the database used to develop these tables and figures upon which conclusions regard WAC COCs are drawn. Ohio EPA does not concur with the limitation of area specific COCs and believes that a review of available data, including non-detects exceeding the WAC is necessary to properly determine appropriate area specific WACs.

28. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Figure 4-6 Pg #: Line #: Code: M
Original Comment #:

Comment: The figure fails to detail areas of known total uranium WAC exceedances in the Southern Waste Units and the Solid Waste Landfill. The lack of accuracy regarding total uranium WAC exceedances leaves little confidence that other COCs have been accurately portrayed.

Revise the Figure to make the symbols distinguishable from each other. The caption should also be revised.

Ohio EPA Comments
WAC Attainment Plan
Page 7

29. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: Table 4-3 Pg #: 4-17 Line #:

Code: M

Original Comment #:

Comment: A review of the Pilot Plant Sump Final Report shows that soil samples analyzed for TCLP failed for PCE. Based upon the failure to include this data in the table, DOE should conduct an additional data review for all the areas presented in this table and revise as appropriate.

30. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 4.2.1.2.1 Pg #: 4-18

Line #: 9-16

Code: M

Original Comment #:

Comment: This paragraph again suggests credibility problems with the data set used to make these determinations. Additional specific details regarding changes to the data base and how those changes relate to WAC evaluation needs to be included.

31. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 4.2.1.2.2 Pg #: 4-20

Line #:

Code: M

Original Comment #:

Comment: This section appears to contradict the OU5 ROD commitment to apply VOC screening during all excavation activities. The ROD states, "A best management approach will also be applied during **all** excavation activities to identify, segregate (and treat as necessary) soil containing concentrations of organic compounds....(emphasis added)." In order to be consistent with the OU5 ROD VOC screening should be incorporated into all excavation activities.

32. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 4.2.1.2.2 Pg #: 4-20

Line #:

Code: C

Original Comment #:

Comment: This section presents an argument apparently the opposite of that used by DOE in negotiations with Ohio regarding listed waste constituents within the production area. At the time of those negotiations DOE argued that VOC contamination in the production area was ubiquitous in the groundwater and that contamination from individual HWMUs could not be distinguished from contaminants released from areas other than HWMUs. Ohio EPA finds this change in position by DOE concerning with regard to its implications to RCRA compliance. Additional discussion of this topic is warranted.

33. Commenting Organization: Ohio EPA

Commentor: OFFO

Section #: 4.2.1.3 Pg #: 4-22 Line #: 15

Code: c

Original Comment #:

Comment: This is a risky strategy on the part of DOE. It is worth re-iterating that Ohio EPA reserves the right to 'second guess' the strategies used in developing a PSP and requesting that additional data be

Ohio EPA Comments
WAC Attainment Plan
Page 8

collected before approving an IRDP.

34. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.1.3 Pg #: 4-23 Line #: 32 Code: C
Original Comment #:

Comment: If the reference to "(for characteristic beta radiation)" is meant to suggest Tc-99 sampling will be conducted by screening for total beta radiation, Ohio EPA does not find this to be an acceptable method for delineating Tc-99 contamination. Delineation of Tc-99 contamination should only be completed through specific analysis for this radionuclide.

35. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.1.4 Pg #: 4-24 Line #: 27-31 Code: C
Original Comment #:

Comment: If previous experiences are relevant, it is likely that a response to comment document will not be sufficient for Ohio EPA to approve the initiation of field work. Therefore, Ohio EPA recommends DOE incorporate a resubmittal of the revised IRDP for approval prior initiation of field work. This scheduling will reduce the likelihood of DOE continuing its current practice of initiating work at risk and without agency approval.

36. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.2.2.3 Pg #: 4-27 & 28 Line #: Code: C
Original Comment #:

Comment: Ohio EPA disagrees with DOE's assertion that process waste encountered during remediation of waste disposal areas could be considered nuclear materials requiring solicitation for sale. All materials removed from waste disposal areas during remediation are a waste and should be dispositioned as such. By disposal of these process residues in a waste disposal area, DOE has declared them a waste and thus they must be managed and disposed of as a waste not a nuclear material. The document should be revised to state the process residues will be managed and disposed of as waste.

37. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.2.3.1 Pg #: 4-28 Line #: Code: C
Original Comment #:

Comment: The text should state when unanticipated debris is removed the soils surrounding the debris will be re-evaluated for WAC attainment. This is necessary since if the debris was unanticipated then the characterization of the area failed to anticipate it and any associated contamination.

38. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.2.3.2 Pg #: 4-28 Line #: Code: C
Original Comment #:

Comment: The text should state when unanticipated process residue is removed the soils surrounding the residue will be re-evaluated for WAC attainment. This is necessary since if the residue was unanticipated then the characterization of the area failed to anticipate it and any associated contamination.

39. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.3.1.1 Pg #: 4-32 Line #: Code: C
Original Comment #:

Comment: This document should designate the location for the above WAC storage pile or reference a specific document which will provide a location and design for the pile. Obviously strict controls will be needed for such a pile. Additionally, any RCRA characteristic wastes must be stored in compliance with RCRA storage requirements. The document should specify this requirement.

40. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.2.3.2 Pg #: 4-33 Line #: Code:
Original Comment #:

Comment: The tracking of soils into and out of stockpiles has been a major concern of Ohio EPA. Poor documentation of the movement and analytical status of soils into the West Impacted Stockpile has already had serious and potentially expensive implications for the use of this pile as winter cover for the end of this construction season. (As recently as last Thursday Ohio EPA observed soils with no analytical data being placed if not on then adjacent to and physically touching this stockpile.) There are similar problems with maintaining the various Removal Action 17 stockpiles. Ohio EPA expects the revised document to include detailed method for delineating stockpiles as above WAC, below WAC, below FRL, or uncharacterized. The method currently employed by DOE does not work in application. The revised document should clarify a responsible group for managing piles and ensuring pile integrity is maintained. In addition, the document should define how the WAO will oversee the stockpile program. Ohio EPA recommends DOE immediately develop and implement a strict, easily understood and managed procedure which includes accountability for pile managers and any contractor working near the pile.

41. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.3.1 Pg #: 4-39 Line #: 3-4 Code: C
Original Comment #:

Comment: Ohio EPA does not believe the current method of PSP development and implementation is acceptable. This document should include a commitment to provide PSPs to the EPA 30 days prior to the initiation of any field work. Without such a commitment, Ohio EPA expects that IRDPs will be disapproved due to a lack of agreement on the appropriate amount and type of data needed for WAC delineation.

Ohio EPA Comments
WAC Attainment Plan
Page 10

42. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 4-42 Pg #: 4-42 Line #: Code: C

Original Comment #:

Comment: Ohio EPA does not believe that sufficient information currently exists to delineate all above WAC areas on this or subsequent figures. We expect that each IRDP will present the proposed WAC delineation and appropriate data justification.

43. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 4.3.4 Pg #: 4-44 Line #: Code: C

Original Comment #:

Comment: The section discusses soils currently in piles but fails to address soils containerized under RA17. Will these soils be managed as legacy waste and disposed off-site? If not, a sampling approach for each container must be developed and presented in this plan.

44. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 4.3.3 Pg #: 4-45 Line #: 5-7 Code: C

Original Comment #:

Comment: As noted in a previous comment, Ohio EPA believes the current stockpile system has failed to maintain the integrity of any pile. The location of the pile would appear to have little if anything to do with the source of the pile soils. Thus the list of COCs can not be limited to the current area of location but must include all WAC COCs.

45. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 4.3.3 Pg #: 4-45 Line #: 19-20 Code: C

Original Comment #:

Comment: Ohio EPA has significant concerns with the characterization of the western stockpile. Above WAC materials are known to have been placed in and later removed from the pile. Currently materials are being added to the pile from uncharacterized areas in A1P2. Ohio EPA expects a PSP to be developed for appropriate characterization of the pile then for the agencies to review and approve that PSP. PSP review and approval for the pile is necessary as no IRDP will be developed for removal of the pile.

46. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: Figure 4-12 Pg #: 4-46 Line #: Code: C

Original Comment #:

Comment: The figure presents an additional argument for implement a strict control policy for pile generation. An additional pile not included in the figure has been generated in the east field near the STP as a result of installation of the new north access road. This pile was generated with uncharacterized soils. The figure also fails to include the numerous smaller piles of soil within the

production area. These piles should be included in a revision of the figure. The figure should designate the names for each pile.

47. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.4 Pg #: Line #: Code: M
Original Comment #:

Comment: Ohio EPA does not understand the basis for inclusion of this section in the document as no other deliverable has included such a section. Ohio EPA disagrees with any assertion the section may be making regarding limitations of Ohio EPA's oversight role. Ohio EPA will continue to exercise it's oversight in the manner it deems necessary to ensure compliance with ARARs and approved deliverables. In no way will Ohio EPA approval of this document include approval of this section. Ohio EPA will specifically exclude approval from this section. Ohio EPA maintains it may be necessary and appropriate to collect independent samples for WAC attainment at any point in the delineation, excavation or disposal process.

48. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.4.2.2 Pg #: 4-61 Line #: 22-24 Code: M
Original Comment #:

Comment: Obviously, Ohio EPA does not concur with the suggestion that samples can not be collected after excavation has been initiated. Indeed, it is likely that Ohio EPA will collect samples at this or latter points in the process. In addition, it is probable that DOE and/or the WAO will need to collect samples after initiation of excavation in order to confirm WAC attainment, to investigate possible hot spots, etc.. Ohio EPA believes it is short sighted of DOE to rule out sampling after the initiation of excavation and will not concur with such an approach.

49. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.4.3.2 Pg #: 4-62 Line #: 26-28 Code: M
Original Comment #:

Comment: Obviously, Ohio EPA does not concur with the suggestion that samples can not be collected after excavation has been completed. Indeed, it is likely that Ohio EPA will collect samples at this or latter points in the process. In addition, it is probable that DOE and/or the WAO will need to collect samples after initiation of excavation in order to confirm WAC attainment, to investigate possible hot spots, assess contractor compliance, evaluate transport success, etc.. Ohio EPA believes it is short sighted of DOE to rule out sampling after the completion of excavation and will not concur with such an approach.

50. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 5.0 Pg #: Line #: Code: C
Original Comment #:

Ohio EPA Comments
WAC Attainment Plan
Page 12

Comment: The section should include a reference to the prohibition against disposal of tires in the OSDF.

51. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Table 5-1 Pg #: Line #: Code: C
Original Comment #:
Comment: Delete reference to oversized debris under Category A as discussed in previous comments.

52. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 5.1.2.3 Pg #: 5-8 Line #: 8-11 Code: C
Original Comment #:
Comment: Delete reference to oversized debris as discussed in previous comments.

53. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Table 5-2 Pg #: Line #: Code: C
Original Comment #:
Comment: As discussed in previous comments, delete reference to oversized debris in the footnote.

54. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 6.1.1 Pg #: 6-2 Line #: Code: C
Original Comment #:
Comment: a) This section fails to include in its analysis an evaluation of constituents to be sent to the AWWT as a result of treatment operations in other OUs. If current sludges regularly fail the WAC, then it is likely that future sludges will be even more likely to fail with increased waste handling and processing. The section should be revised to include a discussion and estimates regarding increased contaminant loading to the AWWT from the various remedial projects on the site.
b) The section uses calculations performed for one volatile organic to draw conclusions regarding all organics. A discussion of relative vapor pressure for various WAC COCs and the impact of those on the calculations previously completed needs to be included. In addition, it is unclear how this calculation is relevant to semi-volatile organics.
c) The section needs to provide a discussion of the volume of each container, fill rate of the container, and the basis for collecting a single sample to represent the entire volume.
d) Have the sludges been sampled for TCLP? If so, such data should be presented. If not, additional data regarding this is required.
e) As new waste streams will continually be added to the AWWT by remediation in various areas it will not be acceptable to base future performance on historical data (e.g., Tc-99 sampling can not be ended simply because a period of time has passed with no detections).

55. Commenting Organization: Ohio EPA Commentor: OFFO

Ohio EPA Comments
WAC Attainment Plan
Page 13

Section #: 6.1.2 Pg #: 6-3 Line #: Code: C

Original Comment #:

Comment: a) Since these resins retain and concentrate contaminants, TCLP data for these materials will be necessary to ensure they are not characteristic hazardous wastes.

b) Additional data should be provided to support the suggestion that concentrations within the resin or carbon will be homogenous. The information provided is insufficient to support the conclusion that a single sample is sufficient for each batch.

56. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 6.2 Pg #: 6-3 & 4 Line #: Code: C

Original Comment #:

Comment: This section as written provides sufficient WAC attainment strategy for geotechnical samples returns alone. Any other type of sample returns will require a revision or addendum to the WAC Attainment Plan and undergo review and approval by the EPAs.

57. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 6.3 Pg #: Line #: Code: C

Original Comment #:

Comment: As PPE was not specifically addressed by the OU3 FS/ROD, it would be useful to provide an estimated volume of PPE to be generated over the course of the remediation.

58. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 6.4 Pg #: Line #: Code: C

Original Comment #:

Comment: Any development of WAC attainment strategies for future ancillary waste streams must be documented as revisions or addendums to the WAC Attainment Plan and undergo review and approval by the EPAs.

59. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 7.0 Pg #: 7-1 Line #: 7 Code: M

Original Comment #:

Comment: The phrase "...regardless of the organization structure ultimately established..." contradicts Section 7.2 which specifically lays out the responsibilities of the Waste Acceptance Organization (WAO). Because the successful implementation of a complicated Plan such as this is directly related to the organizational structure and responsibilities, Ohio EPA considers that DOE is making a firm commitment to maintaining the independent over-sight that the WAO is intended to provide.

60. Commenting Organization: Ohio EPA Commentor: OFFO

Section #: 7.2 Pg #: 7-2 Line #: 27 Code: M

Ohio EPA Comments
WAC Attainment Plan
Page 14

Original Comment #:

Comment: The Plan states that the WAO project team reports directly to the Vice President for Soil and Water Projects. This is not what the Ohio EPA intended when we proposed that an independent organization be developed to avoid potential conflicts of interest between an organization whose performance is measured by volumes of soil excavated and an organization whose performance is measured by adherence to a rather esoteric WAC protocol.

61. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 8.1 Pg #: 8-1 Line #: 14 Code: c

Original Comment #:

Comment: The plan refers to a WAC compliance assurance program. What provisions are being made for Regulator review and approval of this program?

62. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 8.2 , 8.3, 8.4 Pg #: 8-1 thru 8-3 Line #: Code: c

Original Comment #:

Comment: These sections describe design phase reviews, execution phase reviews and staging and transport reviews. What provisions are being made for Regulator participation in these reviews?

63. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 8.2 Pg #: 8-2 Line #: 13-16 Code: c

Original Comment #:

Comment: The section fails to describe what type of changes will require WAO approval. Additional detail and examples should be provided to differentiate between changes requiring and not requiring WAO approval.

64. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 8.6 Pg #: 8-4 Line #: Code: M

Original Comment #:

Comment: This section addresses the procedures for resolving non-conformances with the WAC Attainment Plan. What provisions are being made for Regulator participation in these reviews?